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CONCORD, N.H.

Dr. Hilton C. Buley, Commissioner  
Department of Education  
State House Annex

Dear Dr. Buley:

You have inquired as to the powers of a municipal budget committee, situated in a town, which is a part of a consolidated school district, as the powers of this committee would pertain to the school budget.

It is our opinion that the Budget Committee in such town has no control or authority over the budget of the consolidated school district. R. L. c. 52, s. 2, as amended by Laws of 1949, c. 223. Section 1 provides in part: "The budget committee shall consist of 3, 6, 9 or 12 members-at-large as the meeting adopting the provisions hereof shall by vote determine, and one member chosen by the school board of each school district wholly within said town . . .". R. L. c. 52, s. 5, as amended by Laws of 1949, c. 223, s. 3, provides: "In towns adopting the provisions of this chapter, no board of selectmen, school board, commissioners of a village district wholly within said town . . .". The implication of this language appears to recognize the fact that the budget of the consolidated school district would cut across town lines, that more than one town would be involved and as a consequence the municipal budget committee of the individual town would have no control over the budget of the consolidated district.

Very truly yours,

Henry Dowst, Jr.,  
Assistant Attorney General

HD:RM